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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/629,131	07/29/2003	James Tien-Cheng Yeh	JP920000397US1	6584

7590 10/18/2007  
Anne Vachon Dougherty  
3173 Cedar Road  
Yorktown Heights, NY 10598

EXAMINER

VO, HUYEN X

ART UNIT	PAPER NUMBER
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2626

MAIL DATE	DELIVERY MODE
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10/18/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

10/629,131

Applicant(s)

YEH ET AL.

Examiner

Huyen X. Vo

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 27 July 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 1
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's arguments have been fully considered but they are not persuasive. In response to applicant's argument regarding Sinai fails to teach or suggest that the "*user can dynamically create a voice file to interact with the web site*" (page 12 of the response, second paragraph), Sinai et al. disclose a method of generating VXML file (*col. 8, lines 61-67*) including the step of selecting icons to create a dialog flow (*col. 9, lines 8-45*), which is considered equivalent to the step of creating a "voice file" as argued by the applicant. Applicant is advised to amend the claims to include steps presented in figures 7.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 13-18 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The "program storage device readable by machine" recited in the preamble of independent claim 13 is not found in the specification.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Sinai et al. (US 7143042).

6. Regarding claims 1 and 13, Sinai et al. disclose a method and a program storage device readable by machine for a computer network user for creating a voice XML file automatically, comprising:

providing a graphic user interface for defining a plurality of icons, each of said icons corresponding to one or more attributes of voice XML (*col. 8, line 62 to col. 9, line 23, content authoring tool enables the user to graphically define/create dialog flows*);

receiving user selection input of said icons (*col. 9, lines 8-45*);

recording an action stream of a user invoking said icons in the graphic user interface (*col. 9, line 1 to col. 10, line 67, discussing the creation of dialog flows by dragging and dropping speech objects (icons associated with VXML) in a desired sequence*); and

interpreting said action stream based on a library of voice XML tags to create the voice XML file (*col. 10, lines 48-67, interpreting and generating VXML*).

7. Regarding claim 7, Sinai et al. disclose a system for creating voice XML file automatically, comprising:

a graphic user interface for defining a plurality of icons based on network user input, wherein each of said icons corresponds to one or more attributes of voice XML (*col. 8, line 62 to col. 9, line 23, content authoring tool enables the user to graphically define/create dialog flows*);

a voice XML tag generator for interpreting said action stream based on a library of voice XML tags and generating the corresponding voice XML tags (*col. 9, line 1 to col. 10, line 67, discussing the creation of dialog flows by dragging and dropping speech objects (icons associated with VXML) in a desired sequence*); and

a voice XML file generator for creating the voice XML file by combining the contents to be played with the tags generated by the voice XML tag generator according to voice XML syntax (*col. 10, lines 48-67, interpreting and generating VXML*).

8. Regarding claims 2, 8, and 14, Sinai et al. further disclose that said graphic user interface comprises a graphic user interface for adding one or more audio hyperlinks for a voice XML file automatically, wherein each icon, defined in said graphic user interface, corresponds to a kind of hyperlink (*col. 11, line 62 to col. 12, line 18*).

9. Regarding claims 3, 9, and 15, Sinai et al. further disclose said adding hyperlinks comprises adding the hyperlinks to a TTS voice XML file (*col. 11, line 62 to col. 12, line*

18), and wherein said adding comprises the user editing the TTS voice XML file in the edit area of said graphic user interface, marking or entering the parts to be added with the hyperlinks, invoking the corresponding icons and entering the corresponding hyperlink addresses (*col. 11, line 62 to col. 12, line 18*).

10. Regarding claims 4, 10, and 16, Sinai et al. further disclose said adding hyperlinks comprises adding the hyperlinks to a real-time-recorded audio voice XML stream (*col. 11, line 62 to col. 12, line 18*), and wherein said adding comprises the user editing the TTS voice XML file in the edit area of said graphic user interface, marking or entering the parts to be added with the hyperlinks (*col. 11, line 62 to col. 12, line 18*), invoking the corresponding icons and entering the corresponding hyperlink addresses (*col. 11, line 62 to col. 12, line 18*), and wherein speech recognition technology is applied to find the parts in the real-time-recorded audio voice XML stream that match the parts entered by the user when interpreting said action stream based on a library of voice XML tags (*speech recognition engine 10 in figure 1, comparing input speech with predefined models is the inherent functionality of a speech recognition engine*).

11. Regarding claims 5, 11, and 17, Sinai et al. further disclose that when the user marks or enters the same parts to be added with the hyperlinks in the edit area of the graphic user interface for many times and invokes the same hyperlink attributes, the hyperlinks for the whole TTS voice XML stream are batch-added (*col. 11, line 62 to col. 12, line 18*).

12. Regarding claims 6, 12, and 18, Sinai et al. further disclose that when user marks or enters the same parts to be added with the hyperlinks in the edit area of the graphic user interface for many times and invokes the same hyperlink attributes, the hyperlinks for the whole real-time-recorded audio voice XML stream are batch-added (*col. 11, line 62 to col. 12, line 18*).

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huyen X. Vo whose telephone number is 571-272-7631. The examiner can normally be reached on M-F, 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard can be reached on 571-272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HXV

10/8/2007

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